REMARKS

Applicant notes with appreciation the withdrawal of the references cited in the first office action.

Section 102 rejection of claims 1, 19, and 20

The newly-cited reference, *Schwartz*, appears to disclose a system that enables a computationally-challenged device, such as a cell phone **106**, to display web pages. Apparently, such devices lack the computational resources to execute a conventional browser. *Schwartz* solves this problem by splitting the browser into two portions: a small portion that manages the display, and a larger portion that does everything else. *Schwartz* discloses a system in which the small portion runs on, for example, a cell phone **106** and the large portion runs on a link server **114**.

As best understood, and with reference to *Schwartz*'s FIG. 1, a cell phone **106** enters a zone **102** (referred to as the "airnet") and establishes communication with a link server **114** servicing that zone **102**. Having done so, the cell phone **106** sends the link server **114** a request for information.

It is important to note that the cell phone **106** is already *inside* the zone **102** at the time it requests information. The cell phone **106** does *not* request information *before* it has entered the zone **102**. Indeed, it would not be able to do so. Until it enters the zone **102**, the cell phone **106** would have no way to communicate with the link server **114**.

The link server **114** then forwards the request, via a land-based network **100**, to a network server **104**. The network server **104** supplies the requested information to the link server **114**, which then reformats it for display on the cell-phone **106**. Finally, the link server **114** sends the requested information, in its reformatted form, to the cell phone **104**.

The distinction between the claimed invention and that disclosed in *Schwartz* is a significant one. For example, in *Schwartz*, an anxious investor wishing to monitor the value of a stock would have to enter a zone **102** and then proceed through a sequence of screens similar to that shown in FIGS. 7A-7G. Upon entry into another zone **102**, the anxious investor would have to undertake the same laborious procedure.

In contrast, with a system as claimed, the anxious investor could simply issue a command that says, in effect, "whenever I enter an information portal, please download the following information" (see page 7, beginning on line 18).

The Office has cited three passages that allegedly disclose a server configured to provide the cell phone **106** with information requested prior to entry of the cell phone into the zone **102**. These cited passages are: the abstract, column 3, lines 37-54, and column 17, lines 3-15.

The abstract describes a system that splits a browser between a control engine operating in the link server **114** and an interface engine operating in a mobile device **106**. There is no discussion that the mobile device **106** requests information before it has established communication with the link server **114**.

Column 3, lines 37-54 again describes the basic architecture of a control engine running on the link server **114** and an interface engine on the mobile device **106**. It also discloses that the control engine converts the message into a format suitable for transmission on a wireless network. There is no discussion of consummating a pre-existing request made prior to entry of the mobile device **106** into the zone **102**.

Column 17, lines 3-15 describes caching a "deck" in the link server **114**. However, the caching of this deck appears to be a response to a request made by the mobile device **106** that has *already* entered the zone **102**. There is no indication that the mobile device **102** has somehow made a request for information *before* it has entered the zone **102**.

The *Schwartz* system therefore fails to disclose the limitation, found in both claims 1 and 19, of a

> "server configured to provide, to said mobile processing system, data *previously requested* by said mobile processing system *prior to entry* of said mobile processing system into said information portal."

Accordingly, Applicant requests withdrawal of the section 102 rejection of claims 1 and 19. Claims 7-18 include all the limitations of claim 1 and are patentable for at least the same reasons discussed in connection with claim 1. Applicant requests withdrawal of the section 102 rejections of those claims.

Claim 20 recites the step of "providing, to said mobile processing system, data *previously requested* by said mobile processing system *prior to entry* of said mobile processing system into said information portal." As discussed above in connection with claim 1, *Schwartz* discloses a system in which the mobile device **106** is already within the zone **102** at the time the request is made.

Section 103 rejection of claim 2

With regard to independent claim 2, the Office proposes to combined *Schwartz* with *Titmuss*. As best understood, the Office considers *Schwartz* to disclose all claimed features except the functions recited in the Markush group, namely:

> "permitting building access to a portion of said building"

and

> "controlling an elevator in said building"

These limitation are allegedly disclosed by *Titmuss* at column 5, lines 1-28.

Titmuss discloses a system for determining the location of a user. Once determined, the user's location is used to identify an appropriate "information source."

The cited passage discloses a way to determine the user's location by having the user carry a "smart card." As the user moves around the building, certain "smart-card readers" detect the proximity of the smart card. These smart-card readers are strategically placed around the building, near, for example, workstations, telephones, and at access doors.

With regard to the first element of the Markush group, namely "permitting building access," the Office appears to suggest that because the smart-card reader is placed near an access door, it must somehow unlock the access door. However, it is quite possible to place a smart-card reader near an access door and have it do something other than unlock the door. In particular, *Titmuss* discloses a door-mounted smart-card reader that sends a signal indicating that the smart card is presently located near that door.

With regard to the second element of the Markush group, "controlling an elevator in said building," Applicant notes that the cited passage does not refer to elevators at all. In fact, the word "elevator" does not appear anywhere in *Titmuss*. It is unclear therefore how *Titmuss* can be regarded as disclosing the control of an elevator on the basis of the identity of a mobile processing system.

Thus, even if one were to combine *Titmuss* with *Schwartz*, the result would fail to yield the invention recited in claim 2.

As motivation to combine the teachings of *Schwartz* and *Titmuss*, the Office suggests that one would do so

"to provide a method for delivering information to [a] mobile user in [a] particular area."

Applicant fails to appreciate any technical basis for the proposed combination. The radio waves that carry information from the link server 114 to the mobile device 106 can presumably go through most walls. Thus, the *Schwartz* system already has the capability of "delivering information to [a] mobile user in [a] particular area." There is no reason to combine *Schwartz* with *Titmuss*, or with anything else for that matter, to achieve this function.

Applicant submits that the section 103 rejection is improper both because the proposed combination of references fails to teach the claimed invention, and because the motivation to combine the references appears contrived in hindsight in an attempt to reconstruct the claimed invention. Accordingly, Applicant requests withdrawal of the section 103 rejection of claim 2, and all claims dependent thereon.

No fees are believed to be due in connection with the filing of this response. However, to the extent fees are due, or if a refund is forthcoming, please adjust our deposit account 06-1050.

Respectfully submitted,

Date: 2-17-2005

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